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Allie Barrett
Allie Barrett

Applicant: Blodgett, Jr.
Serial No.: 10/766,267
Filed: January 27, 2004
Title: **VEHICLE SLIDE OUT
FRAMEWORK**
Group Art Unit: 3612
Examiner: Dennis H. Pedder
Docket No.: 18393-512

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION OF RAYMOND BLODGETT, JR. UNDER 37 C.F.R. SECTION 1.131

I, Raymond Blodgett, Jr., states as follows:

1. I am over the age of 18 years and am competent to make this Affidavit. This Affidavit is made upon personal knowledge setting forth facts I believe to be true.
2. I am the named inventor in the above-referenced patent application.
3. I was an employee of RBW Industries, Inc., ("RBW") at the time I conceived of the invention claimed in the above-referenced application and at the time the above-mentioned application was filed at the U.S. Patent and Trademark Office. I was also the President of RBW at those times.
4. This Affidavit is made in support of a showing under 37 C.F.R. Section 1.131 that the invention set forth in certain pending claims in the above-referenced patent application occurred prior to the effective filing date of U.S. Patent Publication No. 2002/0084664 (the "664 Publication"), i.e., prior to October 24, 2000.
5. RBW is a company that designs and manufactures slide-out mechanisms and frameworks for use on recreational vehicles.

6. At least as early as February 4, 2000, I conceived for RBW a vehicle slide-out framework that includes a frame including two frame members where the second frame member is comprised of a first support rail and a second support rail.
7. The first support rail and the second support rail are connected to each other such that a load encountered by the second frame member is distributed across the first and second support rails.
8. On or about February 4, 2000, drawings showing the framework I conceived were forwarded, via fax, by Larry Revelino, another employee of RBW, from RBW to Ronald Tamura of the law firm of Oppenheimer Wolff & Donnelly LLP for Mr. Tamura's use in preparing a patent application that included this framework. A true and correct copy of the drawings showing the framework as faxed to Mr. Tamura is attached hereto as Exhibit 1.
9. As can be seen, the documents included in Exhibit 1 disclose the inventive framework which is claimed in the present application. Moreover, embodiments of the invention depicted in Exhibit 1 are disclosed in their entirety within the specification of the above-referenced patent application.
10. Over the next several weeks and months, RBW provided additional materials and information to Mr. Tamura. Mr. Tamura was responsible for including this new information and material in the parent to the above-referenced patent application.
11. At the same time Mr. Tamura was preparing the parent to the above-referenced patent application, RBW was showing a sample slide-out framework having the claimed invention to potential customers. On or about August 11, 2000, RBW provided a product quote for the framework it had

shown to one such potential customer. A true and correct copy of the product quote is attached hereto as Exhibit 2. This product quote is evidence that the claimed invention was actually reduced to practice at least as early as August 11, 2000.

12. On or about October 2, 2000, Mr. Tamura sent a draft of the parent to the above-referenced patent application to RBW for my review. A true and correct copy of the letter forwarding this draft is attached as Exhibit 3. I provided my comments to the draft to Mr. Tamura in the days and weeks thereafter.
13. On or about November 21, 2000, Mr. Tamura sent a final draft of the above-referenced patent application to RBW for my review. A true and correct copy of the letter forwarding this final draft is attached as Exhibit 4. Shortly thereafter, I authorized Mr. Tamura to file the application with the U.S. Patent and Trademark Office. The parent application was then filed on November 27, 2000.
14. Exhibit 1 demonstrates that the claimed invention was conceived by me at least as early as February 4, 2000. Exhibit 2 demonstrates that the claimed invention was actually reduced to practice at least as early as August 11, 2000. The filing of the application demonstrates constructive reduction to practice on November 27, 2000. Exhibits 1-4 collectively demonstrate both diligence between conception and actual reduction to practice of the invention and diligence between conception and constructive reduction to practice of the invention.
15. As such, it is my view that this affidavit establishes invention of the claimed subject matter prior to the effective date of the '664 Publication, i.e., before

Applicant: Blodgett, Jr.
Serial No.: 10768,287

PATENT
Atty Docket: 18393-512

October 24, 2000, and thus that the '664 Publication can no longer serve as the proper grounds for rejecting the claimed invention.

I declare under penalty of perjury that the foregoing is true and correct.

James B. L. 2005
Dated: December 2004 *fw*

Raymond Blodgett Jr.
Raymond Blodgett, Jr.

5740 Schaefer Ave. Chino, C. . 91710
Tel. (860) 451-7821
FAX (909) 591-6730

RBW Industries, Inc.

Fax

To: Ron Tammarra

From: Larry Revelino

Fax: 949-823-6100

Redacted

Phone: 949 - 823 - 6055

Date: February 3, 2000

Re:

Redacted

CC:

☐ **Urgent**

☐ **For Review**

☐ **Please Comment**

☐ **Please Reply**

☐ **Please Recycle**

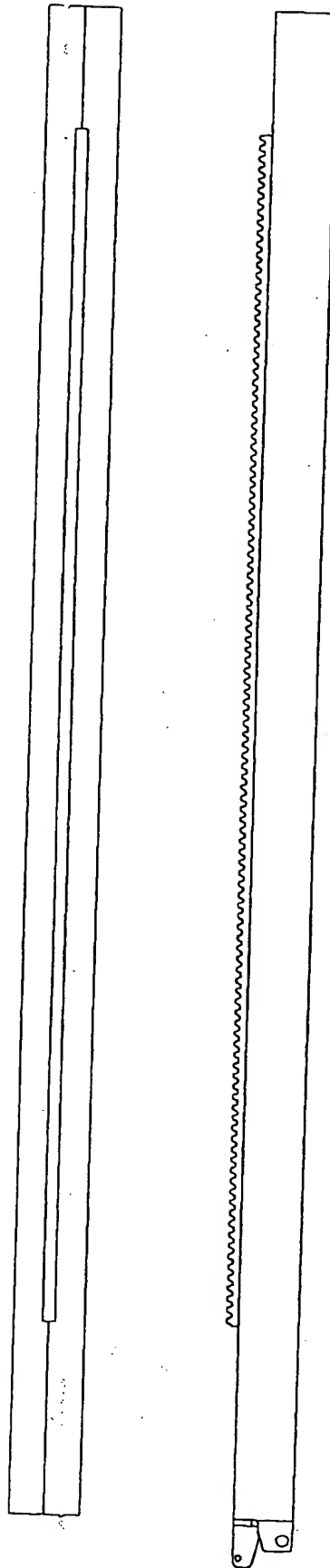
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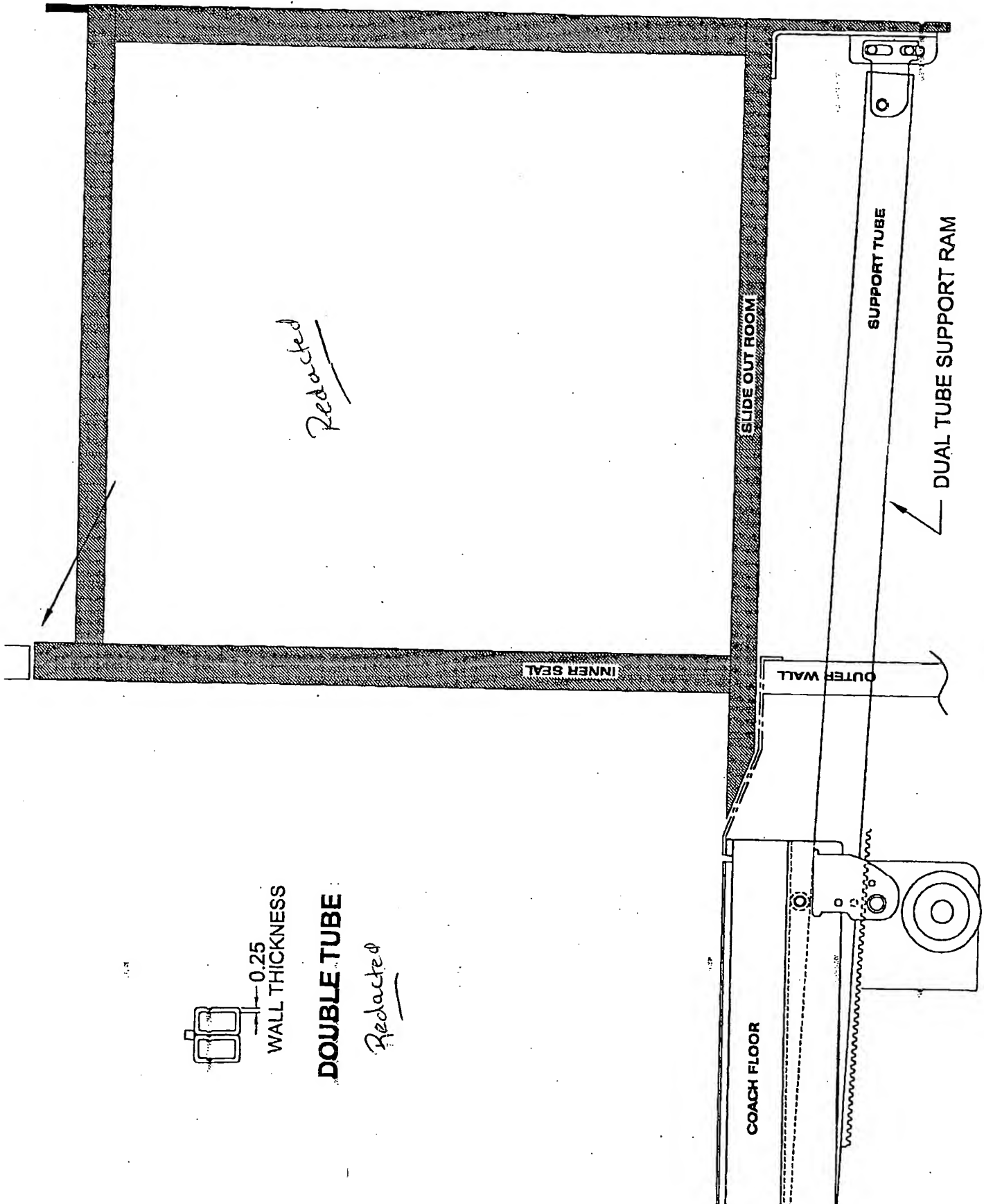
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Package 1

Utilization of multiple tube construction to strengthen slide out room supports and occupy less space





RBW INDUSTRIES, INC. Preliminary Product Quote

Date:

August 11, 2000

Customer:

Redacted

Requirement Summary:

Low profile, slide out system - Powered.

Product Recommendation:

Redacted

General Description:

Redacted

Lead Time:

Redacted

Min. Release Quantity:

Redacted

Shipping:

Redacted

Unit Price:

Redacted

Payment Terms:

Redacted

Considerations:

Redacted

Price Quote Presented By:

Redacted
R

Redacted

OPPENHEIMER

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October 2, 2000

Mr. Larry Revelino
RBW Industries, Inc.
5740 Schaefer Avenue
Chino, CA 91710

VIA FEDERAL EXPRESS

Re: U.S. Patent Application
VEHICLE WITH SLIDE-OUT ROOM
Our Docket No.: 18393-13

Redacted

Dear Larry:

Please find enclosed a draft application for a "Vehicle With Slide-Out Room"

Redacted

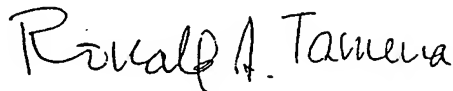
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OPPENHEIMER WOLFF & DONNELLY LLP

Mr. Larry Relevino
October 2, 2000
Page 2

We look forward to hearing from you. If you have any other questions or comments, please do not hesitate to give me a call.

Best Regards,

A handwritten signature in dark ink, appearing to read "Ronald S. Tamura". The signature is fluid and cursive, with the first name "Ronald" being more prominent.

Ronald S. Tamura
OPPENHEIMER WOLFF & DONNELLY LLP

RST/jkp
enclosures
cc: James W. Inskeep, Esq. (w/o enclosures)

OPPENHEIMER

OPPENHEIMER WOLFF & DONNELLY LLP

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November 21, 2000

Mr. Ray Blodgett, Jr.
RBW Industries, Inc.
5740 Schaefer Avenue
Chino, CA 91710

VIA FEDERAL EXPRESS

Re: U.S. Patent Application
VEHICLE WITH SLIDE-OUT ROOM
Our Docket No.: 18393-13

Redacted

Dear Ray:

Please find enclosed revised drafts of the above-identified patent application.

Redacted

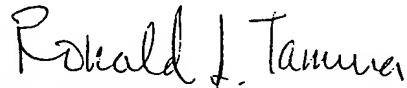
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OPPENHEIMER WOLFF & DONNELLY LLP

Mr. Ray Blodgett, Jr.
November 21, 2000
Page 2

We look forward to hearing from you concerning the above-referenced draft application. If you have any other questions or comments, please do not hesitate to give me a call.

Best Regards,

A handwritten signature in cursive script that reads "Ronald S. Tamura".

Ronald S. Tamura

OPPENHEIMER WOLFF & DONNELLY LLP

RST/jkp
enclosures

cc: James W. Inskeep, Esq. (w/o enclosures)

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